<u>**REMARKS**</u>

Claims 1 and 29-44 are pending in the application. Claims 29-33, 36, 38 and 42-44 are rejected. Claim 1 is allowed an claims 34, 35, 37 and 39-41 are objected to as being dependent upon a rejected base claim (*i.e.*, claim 29), but would allowable if re-written in independent form including all the limitations of the base claims and any intervening claims.

Base claim 29 has been amended to recite all of the limitations of claim 34, claim 35 depends directly from amended claim 29, claims 37, and 39-41 have been re-written in independent form and claims 42-44 now depend from amended claim 29. Claims 30-34, 36, and 38 are cancelled. No new matter is added by the amendments. Accordingly, claims 1, 29, 35, 37 and 39-44 will be pending in the application upon entry of the claim amendments presented herein.

Amendment and cancellation of the claims are not to be construed as acquiescence to any objections/rejections set forth in the Office Action or any previous Office Actions and were done solely to expedite prosecution of the application. Applicants hereby reserve the right to pursue the claims as originally filed, or similar claims, in this or one or more subsequent patent applications.

Because the amendments presented herein place the case in condition for allowance, Applicants respectfully request entry of the amendments and favorable reconsideration and allowance of the application.

I.   The rejections under 35 U.S.C. § 102 are overcome

Claims 29-33, 36, 38, and 42-44 are rejected under 35 U.S.C. § 102(b) as being anticipated by WO 2001/52791, as evidenced by Sirvastava U.S. 5,759,119. Applicants respectfully traverse this rejection.

Applicants respectfully disagree. However, without acquiescing in any way to the rejection and in order to expedite prosecution, claims 30-33, 36, and 38 are cancelled by entry of this amendment, claim 29 has been re-written to include all of the limitations of claim 34 and claims 42-44 depend from amended claim 29. Therefore, the rejection under 35 U.S.C. § 102(b) is moot.

To clarify the record regarding WO 2001/52791, Applicants respectfully submit that, as evidenced by U.S. 5,759,119, these references do not teach or suggest a fugetactic effect (*i.e.*, to repel cells away from a specific site). To the contrary, the

immune response described by U.S. 5,759,119 at column 4, lines 19, 22-25 and 33-36 is an inflammatory response. The methods of the present invention utilize HSP90 to *down regulate* inflammatory responses by repelling inflammatory cells away from the site of inflammation, thereby decreasing inflammation. The claimed invention provides the opposite effect from what is described in U.S. 5,759,119.

As noted above, the claims that are objected to have been amended and re-written as suggested by the Examiner on page 4 of the Office Action. Because the amendments place the application in condition for allowance, Applicants respectfully request reconsideration and withdrawal of the rejections of the claims under 35 U.S.C. § 102(b).

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully solicit reconsideration and withdrawal of all rejections and allowance of the application with claims 1, 29, 35, 37 and 39-44. If a telephone conversation with Applicants' attorney(s) would help to expedite the prosecution of the above-identified application, Applicants invite the Examiner to contact the undersigned.

Applicants believe no additional fees are required for consideration and entry of this paper. Nevertheless, Applicants authorize the Director to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to Deposit Account No. 04-1105, under Order No. 62063(51588).

Dated: February 10, 2009   Respectfully submitted,

                                            Electronic Signature: /Peter C. Lauro/
                                                Peter C. Lauro, Esq.
                                                Registration No.: 32,360
                                            EDWARDS ANGELL PALMER & DODGE LLP
                                            P.O. Box 55874
                                            Boston, Massachusetts 02205
                                            (617) 517-5509
                                            Attorneys/Agents For Applicants